



Quod

**Bassetlaw
Local Plan
2020-2038
Examination**

Matter 3 – Written
Statement

03 NOVEMBER 2022

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1 Introduction

- 1.1 This Written Statement has been prepared by Quod on behalf of DHL Real Estate Solutions ('DHL RES') who have a controlling interest in land at the Former Bevercotes Colliery ('the Site').
- 1.2 It responds to the Matters, Issues and Questions ('MIQs') set out by Inspectors Anne Jordan BA(Hons) MRTPI and Alison Partington BA(Hons) MA MRTPI dated 07 October 2022. Specifically, it responds to the Inspectors' MIQs for Matter 3 – Employment Land in as far as they relate to Policy ST7 of the draft Bassetlaw Local Plan 2020-2037 and to the Site specifically.
- 1.3 Quod submitted representations on behalf of DHL RES to the consultation on the Bassetlaw Local Plan 2020-2037 Publication Version Addendum which ran from January – February 2022 (ref: AD-REF005) and also to the Bassetlaw Local Plan 2020-2038 Public Version Second Addendum consultation held from May – June 2022.
- 1.4 DHL is the world's largest logistics company, with vast experience in designing and sourcing property solutions to support their overall warehousing and distribution solutions. DHL has already established a successful relationship with Bassetlaw District Council ('BDC') in delivering the first phase at Sherlock Business Park (a.k.a Manton Wood), which has delivered a market-leading warehouse on the edge of Worksop. DHL is currently working to deliver Phases 2 and 3 of the development, which when complete will over 60,000sqm of high-quality employment floorspace, and over 100,000 sqm in total at Sherlock Business Park.
- 1.5 DHL are now seeking to expand their operations in Bassetlaw and have identified the Former Bevercotes Colliery (described below in Section 2) as the ideal location for this, with DHL having entered into a development agreement to bring forward the Site.
- 1.6 A Statement of Common Ground ('SoCG') has been agreed with BDC that confirms deliverability in respect of the site allocation. This is to be submitted by BDC, with a draft appended to this Written Statement.

2 The Site

- 2.1 Bevercotes Colliery is located west of the A1, north of the hamlet of Bevercotes and the village of Milton. It is accessed from the B6387 which is itself accessed from slip roads by Twyford Bridge off the nearby A1 motorway. The use of the Site as a Colliery ceased in the early 1993. Since this time, it has been unused.
- 2.2 The Site benefits from full planning permission (ref: 09/05/00002), granted 23 May 2013 for “Redevelopment of the site for storage and distribution use.” The permission allows the delivery of four standalone warehouse units that together would provide 254,185 sqm of storage and distribution floorspace within Use Class B8. An extract of the approved Block Plan (2460/BEV 101 Rev C) is provided below at Figure 1.

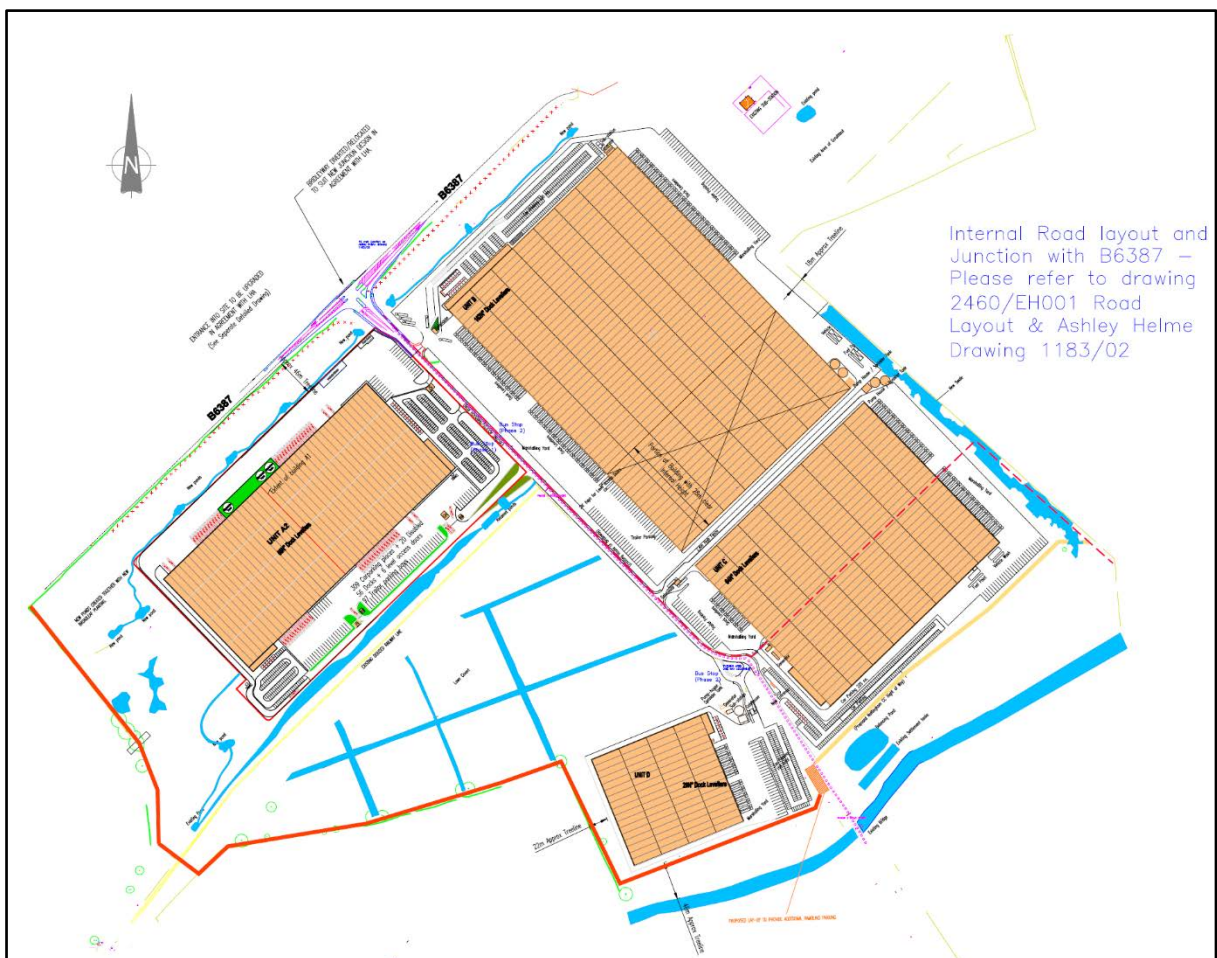


Figure 1 - Extract of approved masterplan for the Site

- 2.3 The Site is partly covered by a Tree Preservation Order (TPO B523). To confirm, this TPO is essentially superseded by the full extant planning permission and does not limit the deliverability of it. The Site is also covered by two Local Wildlife Sites (site ID: 5/2165 and 5/304). The extant planning permission includes proposals for the mitigation of the partial loss of these sites.
- 2.4 The extant planning permission includes a section 106 obligation to enter into a highways agreement with National Highways for the delivery of improvements to the A1/B6837 Twyford

Bridge Junction. DHL RES are already in the process of consulting National Highways ('NH') on this to ensure its deliverability, with the principles of upgrading the junction agreed with NH.

- 2.5 The Site is referenced in draft Policy ST7: Provision of Land for Employment Development of the Bassetlaw Local Plan 2020-2038 as a General and Larger Unit Employment Site with planning permission under reference EM0008a. It is among the largest of these sites, measuring a total 80ha with 43ha of gross available employment land. It therefore represents a significant component of the draft Local Plan and very deliverable opportunity to meet its strategic objectives of delivering economic growth within the District.

3 Matter 3 – Employment Land

Issue 3 - Are the provisions of the plan in relation to the provision of employment land justified and consistent with national policy?

- 3.1 Yes.
- 3.2 The National Planning Policy Framework 2021 ('NPPF') is clear that the purpose of the planning system is to contribute to achieving sustainable development (paragraph 7). Part of achieving sustainable development is achieving the economic objective of helping *“to build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure...”* (paragraph 8).
- 3.3 It should therefore be clear from the above that the principle of providing employment land is consistent with national policy and therefore fully justified.
- 3.4 The NPPF goes on to specify that the approach taken to formulating policies that support a competitive economy should *“allow each area to build on its strengths, counter any weaknesses and address the challenges of the future”*¹, and should have regard for Local Industrial Strategies.²
- 3.5 The Local Industrial Strategy for Bassetlaw is set out in the draft D2N2 Local Industrial Strategy. This states that one of the District's strengths is its location within the country, which puts 9 million people residing in within 20 miles of Derbyshire and Nottinghamshire borders, and 80% of the country's population accessible within 4 hours' drive.³ This is in addition to high quality links to several routes within the strategic road network (namely the M1 and A1(M)), which turn afford access to key cities, towns, transport hubs and ports.
- 3.6 The result of this is that Bassetlaw is ideally suited to help meet the nation's need for high-quality supply chains that can facilitate the movement of goods. The District has to date been successful at attracting businesses that can help meet this need; DHL – the world's largest logistics and distribution company – chose Bassetlaw as the home of its market-leading distribution and logistics campus at Manton Wood, known as Sherlock Business Park; Wilko and B&Q have made similar decisions to establish regional distribution centres in Bassetlaw.
- 3.7 There is a clear and compelling need for warehousing development in the UK, which has suffered in the past two decades from a lack of supply to meet evolving consumer and market needs. The market is increasingly looking to larger floorplate units that are able to provide the efficiency in scale necessary to help meet these demands and the advancing technology. This means there is growing need for large-scale sites that can provide sufficient volume to meet

¹ NPPF 2021, paragraph 81.

² NPPF 2021, paragraph 82(a)

³ D2N2 Draft Local Industrial Strategy 2020, page 6.

desired pallet densities but also make use of cutting-edge robotic technologies to deliver efficiencies and savings for the consumer.

- 3.8 The effect of Policy ST7 is to seek to capitalise on the District's existing assets and strengths by identifying sites that can deliver the larger warehousing units that the market is increasingly demanding. This in turn also addresses an historic weakness of the UK logistics market of under-supply, that has led to a constrained market with increasingly high rent costs. The allocation of land by this policy to address this weakness (and also the anticipated challenges of the future) therefore has a clear logic that is in accordance with national policy.
- 3.9 The principle of allocating large scale employment sites to meet the need of the UK logistics market is therefore a sound and proper approach to plan-making. The quantum of employment land allocated by the Plan is addressed below in response to MIQ 3.1.

Would the allocations be developable, deliverable and otherwise soundly based?

- 3.10 As set out above and within the draft Local Plan, the Former Bevercotes Colliery benefits from an extant planning permission that allows the delivery of 254,185 sqm of storage and distribution floorspace within Use Class B8. To confirm, this permission is fully implemented and i deliverable.
- 3.11 DHL RES is committed to delivering the Site as a market-leading logistics and distribution campus and see it as a key component of their regional expansion plans. Acknowledging that the planning permission was granted some time ago, DHL RES has carried out a robust and thorough due diligence assessment of the Site, which has demonstrated that there are no barriers to the delivery of the Site. This has included carrying out new ecological surveys and ground testing.
- 3.12 Given the former use of the Site and the time that has elapsed since the cessation of this use, there are constraints and contamination issues. Thanks to a thorough due diligence process, however, these are all known and appropriate measures to address them are in place, including updated mitigation strategies to reflect best practice and up to date survey data.
- 3.13 The A1/B6837 Twyford Bridge Junction requires upgrading to accommodate the increased vehicular flows accessing the Site as per condition 24 of the extant planning permission. DHL RES has already started engaging with the Council and with National Highways on the necessary improvements to the Twyford Junction. It is DHL's ambition to commence with enabling works in 2024/2025, and to complete and occupy the first unit by 2027/2028. These works are factored into the committed improvements and developments set out within the Local Plan Transport Study (May 2022). As well as improving access to the Site and facilitating economic development, there are wider public benefits to these works that would be delivered in improving a junction that is currently well below modern standards with regards to visibility and highway safety.
- 3.14 The planning merits of directing development to this location are clear and sound. It is a large brownfield site in close proximity to the A1(M) and ideally enclosed by woodland, limiting visual, amenity, and landscape impacts. The NPPF supports the use of previously developed land and more specifically encourages policies to "*support appropriate opportunities to remediate*

despoiled, degraded, derelict, contaminated or unstable land” (paragraph 120(c)), which is clearly highly relevant to the Former Bevercotes Colliery.

- 3.15 DHL RES are seeking to make minor-material amendments to the extant planning permission to ensure that it can deliver development that meets modern standards and specifications. DHL have had initial discussions with the Council who have raised no in-principle concerns, and is indeed supportive of this approach. Following informal discussions in June 2021, DHL is currently seeking formal pre-application advice from the Council to progress matters further, demonstrating a commitment to delivering the site and to joint-working with the Council.
- 3.16 For the reasons set out above, the Former Bevercotes Colliery is a site that is both developable and deliverable for employment purposes. Its allocation within the Bassetlaw Local Plan will help meet the Council’s strategic objectives of delivering sustainable development that fosters economic growth in the District by directing development to previously developed land and meeting the region’s need for logistics and distribution floorspace.

[3.1] Is the supply of 183 ha of local employment land justified in order to provide for future employment needs in the district? How were the sites selected? Were they selected in comparison with possible alternatives using a robust and objective process?

- 3.17 The Housing and Economic Development Needs Assessment (November 2020) ('HEDNA') prepared by GL Hearn recommends that Bassetlaw assume an employment land need for the plan period (which was at that point 2018-2037) of 186.9ha. This is based (in part) on past completions and is therefore intended to represent future need as a reflection of past demand, as represented by supply.
- 3.18 The plan-making process for Bassetlaw has of course undergone several iterations, meaning that some of the initial assessments were carried out some years ago. Bassetlaw has however been diligent in ensuring that assessments are reviewed and updated where necessary to reflect the most up to date picture. This includes the EDNA which was updated by Icenii in April of this year. Acknowledging that this is a potentially confusing situation, Bassetlaw have helpfully set out a robust background to and summary of the situation in their Employment Land Topic Paper (BDC-02; 20 September 2022). Quod has reviewed this paper and endorse its contents, which sets out clearly the need for large scale warehouses in the District.
- 3.19 It does however risk overlooking the fact that the supply of employment land in the District – particularly of logistics and distribution land – has in general been constrained in the past. This is not particular to the District but is symptomatic of a national trend of under-supply against demand, which has led to a shortage of modern warehousing sites that are able to meet the needs of the modern market. The consequence is historically low vacancy rates for large scale warehouses of just 3% both nationwide⁴ and regionally.⁵ It is generally considered that an efficient market would operate with vacancy rates of around 8%.
- 3.20 The identified need of 186.9ha should therefore be considered an absolute minimum and ideally provision made over and above this to ensure there is sufficient opportunity for

⁴ Savills Big Shed Briefing (July 2022).

⁵ A1 Corridor Logistics Assessment, Bassetlaw Council, August 2021, Table 4.3.

businesses to invest, expand and adapt over the plan period. For this reason, the ‘additional’ allocation of Apleyhead Junction to meet the strategic market’s needs is supported.

3.21 The District benefits from a number of sites that have planning permission to deliver economic development. Allocating these sites in the draft Plan makes clear and logical sense, demonstrating the Council’s commitment to delivery of these sites – which should be considered as part of the existing supply. The alternative would be to allocate further sites that do not have planning permission, which would introduce a degree of uncertainty into deliverability .

3.22 Regarding site selection, each site is considered through multiple layers of assessment. The Site Selection Methodology (May 2022) considered a set of attributes to be key for a major strategic site. The criteria are sensible and reflect the recommendations set out in paragraph 82(b) of the NPPF of setting out criteria that meet the anticipated needs over the plan period and being clearly related to the Local Industrial Strategy. It also reflects the government’s Planning Practice Guidance on the recommended methodology for assessing economic land availability.

3.23 Table 1 below sets these out and demonstrates how the Former Bevercotes Colliery meets them.

Table 1 - Site Selection Methodology attributes matrix

Criterion	Suitability
<i>A site in close proximity to key strategic accessibility drivers namely the A1/A57;</i>	The Site is just 1.5km from the A1 and will furthermore enable the improvement of the Twyford Bridge Junction.
<i>A site which could provide Eg/B2/B8 employment functions connected with key sectors identified by the D2N2 LEP;</i>	The Site has an extant planning permission for the delivery of over a quarter of a million square metres of B8 use floorspace.
<i>A site capable of offering occupier flexibility and investment potential for locally grown businesses or for inward investors if appropriate;</i>	The extant planning permission allows for four units of different sizes. The larger units are likely to attract footloose occupiers that operate on a national and international scale, whilst the smaller unit could accommodate a more locally grown business.
<i>A site considered attractive to the market and with a market window;</i>	DHL RES’ interest in the Site is evidence of its attractiveness to the market.
<i>A site accessible by local labour force, and is or has the ability to be accessible by public transport and active travel.</i>	The Site has the potential to be accessed by a range of sustainable and active travel modes. The extant planning permission includes a requirement to establish a Travel Plan to maximise sustainable access to the Site. DHL will honour this requirement and also ensure it is up to date and reflective of best practice.
<i>A site with the ability to deliver regeneration or economic development benefits;</i>	The Site is able to accommodate a significant quantum of employment floorspace. This in turn will provide a significant amount of economic benefits in the form of

Criterion	Suitability
	employment opportunities, plus additional revenue to the Council through business rates and taxation.
<i>A site with the benefit of specific on-site infrastructure which has the ability to attract a specific type of occupier.</i>	The Site benefits from an existing internal access road that will be improved to accommodate the number and type of vehicles that will be accessing the Site. The Site's size and topography make it ideally suited for large scale warehousing development. Again, this is evidenced by DHL's interest in the Site.

- 3.24 The site selection methodology itself involved a multi-stage 'sifting' approach that included input from technical officers at the Council and also at Nottinghamshire County Council. This ensured that the full range of considerations was factored into the process, such as landscape, biodiversity, highways, and viability.
- 3.25 The Former Bevercotes Colliery was included in this assessment, the latest being the Land Availability Assessment (May 2022). Appendix K includes the employment sites, with the site reference being LAA431. The conclusion is that the site is considered suitable for employment allocation due to the existing planning permission and its close proximity to the A1.
- 3.26 The effects of the policies were then tested by the Sustainability Appraisal of the Bassetlaw Local Plan (May 2022), which considered the effects of individual policies and also the cumulative effects of the Local Plan. It shows that the effects of Policy ST7 are anticipated to be significant benefits to meeting the objective of 'economy and skills' with no significant negative consequences on other objectives. For clarity, this assessment does not include a consideration of Apleyhead Junction and is more specifically about the sites with planning permission set out in part 2 of the Policy. It does not, however, include a specific sustainability assessment of each site with planning permission. It is assumed this is because the virtue of having planning permission is itself a recognition that the permitted development constitutes sustainable development.
- 3.27 In summary, the allocation of 183ha of land to meet employment needs is well justified. The methodology behind the site selection is robust and has a clear logic to it, and should be considered sound for plan-making purposes.

[3.2] Is the restriction to B2, B8 and Class E (g) justified for new employment allocations?

- 3.28 Quod considers that this restriction is justified and reflects the findings of considerable demand for such floorspace within the HEDNA and A1 Corridor Logistics Assessment. It also reflects the strategic objectives of the Local Industrial Strategy, which seeks to capitalise on the region's natural locational and transport assets in delivering logistics and distribution floorspace. This is in accordance with NPPF paragraph 82(a).
- 3.29 The inclusion of Class E(g) within the permitted uses provides sufficient flexibility to accord with NPPF paragraphs 81 and 82(d). It also gives the opportunity to provide research and development floorspace, thereby capitalising on the UK's world-renowned status as a centre of excellence in scientific and technological innovation.

[3.3] In relation to strategic employment needs:

- a) Is the allocation of 119ha at Apleyhead, in addition to land identified for “General and Larger Unit Employment Sites” justified and consistent with national policy?**
- b) What factors led to its allocation? Is it based on up-to-date evidence?**
- c) Has the allocation had appropriate regard to the potential wider strategic impact of the development?**

3.30 No comment.

Are the requirements of policies ST7 and Policy 9 clear, and would the criteria identified to assess proposals on these sites be likely to be effective? In particular:

a) Is the requirement of 3(e) necessary and what does it seek to achieve?

3.31 No, it is not considered necessary.

3.32 Any application submitted to the Council that is likely to have significant effects on the environment, or indeed the property market area, would be subject to an Environmental Impact Assessment ('EIA'). The EIA would involve a cumulative assessment of the proposed development's impacts along with other committed developments in the area and would not necessarily be restricted to the District Council's authority boundaries. The EIA would then identify suitable mitigation, should it be needed, to ensure that the cumulative impacts of the delivery of a given sites is acceptable in planning and environmental terms.

3.33 This clause is therefore unnecessary as the objective it seeks – ensuring that cumulative development is acceptable – is sufficiently provided by existing EIA legislation and regulations.

b) Is there sufficient evidence to demonstrate that the site can be implemented and that all necessary infrastructure and mitigation measures required to support it are achievable and can be delivered?

3.34 No comment.

c) What assumptions have been made in relation to the timescale for delivery and are these justified?

3.35 No comment.

In relation to policy ST10 is the policy based on up-to-date evidence and is the policy consistent with national policy?

3.36 Yes.

3.37 The effect of this policy is to protect what are considered to be the most important existing employment sites from other development pressures. On this basis, it is considered a sound policy that is consistent with national policy.

- 3.38 It is based on up-to-date evidence gained through the statutory consultations undertaken for plan's preparation which demonstrated a clear support for the use and intensification of previously developed land. The Council's Employment Land Topic Paper sets out in section 3 that GL Hearn were responsible for assessing those sites that would be protected for employment use. This included updates to the initial assessment such that the latest Land Availability Assessment is from this year, representing an up to date evidence base for the policy.
- 3.39 It is acknowledged that there are pressures for other forms of development in the District, perhaps most significantly housing. It is foreseeable that pressures to deliver housing may make the redevelopment of employment sites appealing. Whilst the reuse of suitable brownfield land is to be commended, this should not be at the expense of the District meeting its objectives to foster economic growth (which will become more pressing as further housing is delivered), which the NPPF makes clear is a key part of sustainable development.
- 3.40 The policy also promotes the intensification of the existing employment sites. Again, this is clearly in line with national policy, with the NPPF containing an entire chapter on making effective use of land (Chapter 11). Specifically, "*strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land*" (paragraph 119).
- 3.41 In as far as the identification of Existing Employment Site 09 Manton Wood, Worksop, the policy is based on up to date evidence. This site benefits from outline planning permission and has seen the first phase of development delivered and become operational. Phases 2 and 3 of the development also benefit from planning permission. The inclusion of this site as an existing employment site is therefore based on up-to-date evidence.

In relation to policies ST11 and ST12, are the policies justified by appropriate available evidence, having regard to national guidance, and local context? Do the policies provide clear direction as to how a decision maker should react to a development proposal? In relation to camping, caravanning and chalets, do the proposals pay appropriate regard to the biodiversity impacts of such proposals?

3.42 No comment.

Are there any omissions in the policies and are they sufficiently flexible?

3.43 No there are not considered to be any important omissions to the policies and yes, they are considered to be sufficiently flexible. They are the result of extensive consultation that has resulted in changes being made to the wording and effect of the policies to ensure they are sound.

Are the Council's proposed modifications to these policies and the supporting text necessary for soundness?

3.44 As set out above, we do not consider that Policy ST7(3)(e) is necessary. However, should the policy be retained for the purposes of the Local Plan, it should be with the modified wording put forward by the Council as it provides greater clarity on the scope and purpose of the policy.